

1 **SAMUEL A SUE ATTORNEY AT LAW 201817**
2 **310 THIRD STREET B-1**
3 **CHULA VISTA, CA 91910**
4 **Phone 619 475 4368**

5 **Attorneys for Defendant Michael A Taibi**

6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10
11 **UNITED STATES OF AMERICA**

12
13 **Plaintiff,**

14 **v.**

15 **MICHAEL A TAIBI,**

16
17 **Defendant.**

CASE NO. 3:10-CV-02250-JLS-CAB

**DEFENDANT'S MANDATORY
SETTLEMENT CONFERENCE
BRIEF**

Conference: June 27, 2011

Time: 02:00 pm

Magistrate Judge Cathy Ann Bencivengo

18
19 **COMES NOW THE DEFENDANT MICHAEL A TAIBI AND CONTENTS AND ALLEGES**
20 **the following:**

21 **I**
22 **PARTIES**

23 **Plaintiff: United States of America**

24 **Defendant: Michael Taibi, Attorney**

25 **II**
26 **STATUS OF LITIGATION**

27 **A complaint was filed by the Plaintiff, United States on November 10, 2010 alleging**
28 **that the defendant had defaulted on a student loan. The defendant filed an answer on January 5,**

1 2011 denying owing the amount alleged.

2 **III**

3 **UNDISPUTED FACTS**

4 1. The defendant admits to having borrowed a certain amount of money in the
5 Student Loan program while he was in school.

6 2. The defendant admits owing less than what the plaintiff has alleged.

7 **IV**

8 **DISPUTED FACTS**

9 1. The defendant denying owing the amount that the plaintiff alleges that he owes
10 as stated in the plaintiff's complaint.

11 **V**

12 **VALUATION AND LIABILITY**

13 The plaintiff intends to admit the existence of an unpaid loan, but will prove to the
14 Court that he does not owe the amount alleged in the plaintiff's complaint

15 **VI**

16 **EXHIBITS**

17 The defendant is in the process of accumulating his exhibits and in comparing what he
18 finds with the documents that the plaintiff has delivered in response to recovery. The initial loan
19 in these circumstances was 4/21/93 over 18 years ago and it has been difficult to find certain
20 exhibits.

21 **VII**

22 **CONCLUSION**

23 The defendant is willing to repay the loan of the money that he borrowed while in school
24 under the student loan program, however, the Plaintiff's claim is mostly penalties and interest,
25 upon which the defendant objects paying without adequate evidence showing the amount actually
26 owed.

27 Respectfully,

28 SAMUEL A SUE, Attorney for Defendant